

INTERNATIONAL SEARCH REPORT

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International application No.
PCT/SE 2003/001949

A. CLASSIFICATION OF SUBJECT MATTER

IPC7: A61K 39/395, A61K 47/48, A61K 51/10 // A61M 1/36
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC7: A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SE,DK,FI,NO classes as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EPO-INTERNAL, BIOSIS, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 0002050 A1 (DEPARTMENT OF RADIATION ONCOLOGY, UNIVERSITY OF WASHINGTON), 13 January 2000 (13.01.2000), see pages 6-12, examples and claims, page 6, lines 16-36 --	1-10
Y	US 2001023288 A1 (WILBUR ET AL), 20 Sept 2001 (20.09.2001), see the claims --	1-40
A	Bioconjugate Chem., Volume 11, 2000, D. Scott Wibur et al, "Biotin Reagents for Antibody Pretargeting. 4. Selection of Biotin Conjugates for in Vivo Application Based on Their Dissociation Rate from Avidin and Streptavidin", pages 569-583 --	1-40

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents:	
"A"	document defining the general state of the art which is not considered to be of particular relevance
"E"	earlier application or patent but published on or after the international filing date
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O"	document referring to an oral disclosure, use, exhibition or other means
"P"	document published prior to the international filing date but later than the priority date claimed
"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X"	document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y"	document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&"	document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
26 February 2004	03-03-2004
Name and mailing address of the ISA/ Swedish Patent Office Box 5055, S-102 42 STOCKHOLM Facsimile No. + 46 8 666 02 86	Authorized officer CARL-OLOF GUSTAFSSON/BS Telephone No. + 46 8 782 25 00

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	Cancer Biotherapy & Radiopharmaceuticals, Volume 15, No. 1, 2000, Paul L. Weiden et al, "Pretargeted Radioimmunotherapy (PRIT TM) for Treatment of Non-Hodgkin's Lymphoma (NHL): Initial Phase I/II Study Results", pages 15-29 --	1-40
Y	WO 0009160 A1 (IDEC PHARMACEUTICALS CORPORATION), 24 February 2000 (24.02.2000), page 12, line 24 - page 13, line 8; page 33, line 17 - line 34 --	1-40
Y	WO 0180884 A1 (IDEC PHARMACEUTICALS CORPORATION), 1 November 2001 (01.11.2001), page 37, line 29 - page 40 -- -----	1-40

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Information on patent family members

24/12/2003	International application No. PCT/SE 2003/001949
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WO	0002050	A1	13/01/2000	AU	5076799 A	24/01/2000
				AU	8366398 A	24/01/2000
				CA	2336739 A	13/01/2000
				EP	1095274 A	02/05/2001
				JP	2002519440 T	02/07/2002
				NO	20010021 A	07/03/2001
				SE	9801345 D	00/00/0000
				WO	0002051 A	13/01/2000
US	2001023288	A1	20/09/2001	AU	4161700 A	14/11/2000
				AU	5076799 A	24/01/2000
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				EP	1095274 A	02/05/2001
				EP	1173662 A	23/01/2002
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				NO	20010021 A	07/03/2001
				SE	514444 C	26/02/2001
				SE	9901241 A	09/10/2000
				US	6655327 B	02/12/2003
				WO	0061929 A	19/10/2000
WO	0009160	A1	24/02/2000	AU	767965 B	27/11/2003
				AU	5553199 A	06/03/2000
				BR	9913645 A	25/09/2001
				CA	2340091 A	24/02/2000
				CN	1320044 T	31/10/2001
				CZ	20010526 A	13/11/2002
				EP	0865367 A	23/09/1998
				EP	1112084 A	04/07/2001
				HU	0103484 A	28/01/2002
				IL	141349 D	00/00/0000
				JP	2002522511 T	23/07/2002
				NO	20010699 A	10/04/2001
				PL	346046 A	14/01/2002
				US	6455043 B	24/09/2002
				US	2003026804 A	06/02/2003
				ZA	200101157 A	10/07/2002
WO	0180884	A1	01/11/2001	AU	5914201 A	07/11/2001
				CA	2405632 A	01/11/2001
				CN	1437478 T	20/08/2003
				EP	1286692 A	05/03/2003
				JP	2003531178 T	21/10/2003
				US	2002009444 A	24/01/2002

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Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: **36-40**
because they relate to subject matter not required to be searched by this Authority, namely:
see extra sheet

2. Claims Nos.: **1**
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
see extra sheet

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

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Box II.1

Claims 36-40 relate to methods of treatment of the human or animal body by surgery or by therapy/diagnostic methods practised on the human or animal body/Rule 39.1.(iv). Nevertheless, a search has been executed for these claims. The search has been based on the alleged effects of the compounds/compositions.

The wording of claim 1 is ambiguous (see "1 d") as the "biomolecule reactive moiety ... being capable of forming a bond with the ... antibody" is a reactive moiety that may be linked to the lymphoma antibody, while the claim pertains to an agent that comprises a reagent that is indeed conjugated to a lymphoma antibody. The search has been limited to agents with bound antilymphoma antibodies.

Present claims relate to a product/compound defined by reference to a desirable characteristic or property, namely comprising an affinity ligand, an effector agent and "a biomolecule reactive moiety". The claims cover all products/compounds having these characteristics or properties, whereas the application /provides support within the meaning of Article 6 PCT and / or disclosure within the meaning of Article 5 PCT for only a very limited number of such products/compounds. Additionally, previously known compounds may be included in the scope of the present claims. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the products/compounds identified in the examples and to the general aspects of the invention to the extent it was possible.